

*California Beverage Container*

# LABELING GUIDE

**California Department of Conservation**  
***Division of Recycling***  
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# 1. THE CALIFORNIA BEVERAGE CONTAINER RECYCLING AND LITTER REDUCTION ACT



## PURPOSE OF THE LABELING GUIDE

This guide is intended to serve the business community and the public alike. It provides guidance to manufacturers and retailers in determining which beverage containers must carry a California Redemption Value (CRV) label and helps consumers identify, among all beverages sold, which are eligible for a cash refund. The California Beverage Container Recycling and Litter Reduction Act (Act) and enabling regulations (Appendices A and B) govern the labeling and recycling of beverage containers, and their requirements are summarized in this guide.

## BACKGROUND

1986 was a pivotal year in establishing a permanent recycling infrastructure in California. Known initially as the “AB 2020” program and now referred to as the “Act,” it was the first successful law to address recycling and litter reduction. Now in its second decade, the Act has resulted in an overall recycling rate for beverage containers of 80 percent. Perhaps more importantly, it has spawned a change in how Californians view waste, and provided a growing opportunity for each individual to contribute toward statewide waste diversion efforts and the conservation of valuable natural resources.

The momentum and interest in beverage container recycling continues on a high note. However, it could not continue without the commitment of beverage and container manufacturers, grocers, local communities,

recyclers, the environmental community, the beverage industry, and of course, the consumer.

## HOW THE BEVERAGE CONTAINER RECYCLING PROGRAM WORKS

California’s unique beverage container recycling program requires beverage distributors to pay a “redemption payment” on each beverage container manufactured for sale in California. The redemption payments are deposited into the California Beverage Container Recycling Fund (Fund) administered by the Department of Conservation. The distributor’s cost of this redemption payment is passed along to the consumer who purchases this beverage at a retail store. The consumer is eligible to receive California Redemption Value (CRV) for the container when the container is recycled at a certified recycling center. Once the certified recycling center pays the consumer, the center is reimbursed from the redemption payment funds that the Department has initially received from the beverage distributors.

## WHICH BEVERAGES AND CONTAINERS ARE INCLUDED?

Not all beverages available for purchase are included under the Act. “Beverage” is defined by the Act as: beer and other malt beverages, wine and distilled spirit coolers, carbonated and noncarbonated mineral and soda water, carbonated and noncarbonated water,

carbonated and noncarbonated soft drinks and sport drinks, carbonated and noncarbonated fruit drinks, coffee and tea drinks, which are sold in aluminum, glass, plastic and bimetal containers in liquid and ready-to-drink form and intended for human consumption.

“Beverage” does not include wine, or wine from which alcohol has been removed in whole or in part, whether or not sparkling or carbonated. Also excluded are milk, medical food, infant formula, 100% fruit juices in containers over 46 ounces and any product sold in a container that is not an aluminum beverage container, a glass beverage container, a plastic beverage container, or a bimetal beverage container.

“Beverage Containers” include those constructed of aluminum, glass, plastic and bimetal materials. Please see Appendix B for the more specific definition included in the Act.

## THE REDEMPTION PAYMENT—HOW MUCH?

When beverages and their containers meet the definitions described previously, beverage distributors must pay the Department of Conservation \$0.025 on each container. This applies to each container less than 24 ounces. Containers 24 ounces or greater are considered “two” containers for purposes of the redemption payment, and therefore, a \$0.05 redemption payment would be paid on each. Consumers receive these same amounts in CRV when the containers are recycled at a certified recycling center.

## WHAT MUST THE LABEL SAY?

On California containers included under the Act, the labeling law and regulations are specific. The label’s message must read any one of four possible ways:

1. **California Redemption Value**
2. **CA Redemption Value**
3. **California Cash Refund**
4. **CA Cash Refund**

The redemption message on the label is the only way consumers, recyclers and processors know that a container is eligible for refund value. Distinguishable labeling also helps to prevent CRV being paid on ineligible beverage

containers. CRV should only be paid on containers upon which a redemption payment has previously been paid by the beverage distributors. Proper labeling, then, helps to protect the Fund.

## WHO IS RESPONSIBLE FOR LABELING?

Beverage manufacturers are responsible for properly labeling beverage containers sold or offered for sale in California. Those individuals or companies importing containers to California which are subsequently offered for sale in the State must ensure the proper labeling of the container. This can mean that the importer must negotiate with its overseas manufacturer to ensure proper labels are included on the beverage containers. A good example would be imported beers or carbonated mineral waters in which the manufacturer is located outside the United States.

It is quite possible that beverage manufacturers must consider other labeling requirements beyond the purview of this program. Please see Appendix C for a listing of other governmental agencies you may wish to consult.

## WHAT ARE THE PENALTIES?

Failure to comply with the Act’s labeling requirements can result in fines of up to \$5,000 per day, per violation. Other civil or criminal penalties may also apply, depending upon the circumstances.

## WHAT OTHER HELP IS AVAILABLE?

The regulations found in Appendix A govern how the California message must appear on beverage containers. Illustrations follow on how to design a message that meets these requirements. Should you have a specific question that is not answered in this guide, please see page 9.

Other states also have beverage container recycling programs which have different labeling requirements. For a listing of these states and how to contact them, please see Appendix D.

## 2. THE LABELING STEPS

The Act requires a “clear and prominent” redemption message. In order to protect the integrity of existing package designs, which are often critical to product and consumer appeal, the Department provides manufacturers several options under the container labeling regulations.

This flexibility, however, demands finer discrimination when judging the clarity and prominence of a redemption message. Theoretically, when a manufacturer has met the regulations, one should be able to assume that the message is therefore “clear and prominent.”

In reality, there are thousands of kinds of typefaces, innumerable shades of color and degrees of color contrast. Boldness varies, as does width of print, and a host of other factors which influence the ability to easily find and read a redemption or refund message. Meeting the regulations will result in a clear and prominent redemption message in most cases. Based on experience during the first two years of the program, the regulations were amended to incorporate the key factors that contribute to a “clear and prominent” redemption message. Still, it would be virtually impossible to write regulations broad enough to guarantee, without exception, that regulatory compliance would automatically result in a “clear and prominent” redemption or refund message as intended by the Act.

***The Department encourages manufacturers to submit labels for pre-approval to ensure that both of the following steps are met prior to printing.***

This will avoid costly reprints if noncomplying labels are later discovered in the marketplace. The Department makes final determination if a redemption or refund message is “clear and prominent” and meets the regulations.

### STEP 1

The redemption message must meet the beverage container regulations.

### STEP 2

The message must be “clear and prominent,” according to the Act.



### 3. LABELING OPTIONS IN THE REGULATIONS

This matrix summarizes options for placing the California message on the major types of beverage containers.

#### GENERAL CONSIDERATIONS APPLY TO ALL CONTAINERS\*

- USE ONE OF THESE PHRASES ONLY:
  - ☐ California Redemption Value
  - ☐ CA Redemption Value
  - ☐ California Cash Refund
  - ☐ CA Cash Refund
- Must be clearly, prominently, and indelibly marked by painting, printing, scratch embossing, or raised letter embossing.
- Must equal minimum lettering height requirements.

#### ALUMINUM AND BI-METAL CANS

Marked on the top end, minimum lettering size = 3/16" (inch) in height. If scratch embossed, lettering shall be minimum of .004 inch of disturbed surface metal.

2200(b)(1)(A)\*\*

#### GLASS AND PLASTIC BOTTLES

No notations resembling "No Deposit - No Return." (Conflicts with recycling message.)

A		B		C
At least 3/16" (inch) in height on the bottom edge of the container body label. 2200(b)(2)(A)**	OR	At least 3/16" (inch) in height on or in a secondary label. 2200(b)(2)(B)**	OR	At least 1/8" (inch) in height on a container body label or secondary label, legible lettering in contrasting colors. 2200(b)(2)(C)**

\* **Traditional deposits are still taken and returned on refillable containers, which are therefore excluded from the Act.**

\*\* **Applicable section of the regulations. See Appendix A for full text.**



## 4. COMMON QUESTIONS AND ANSWERS

Many questions that have arisen in the past have been addressed in the regulations. You will find the labeling terms **clearly** and **prominently** displayed, **indelibly** marked, **contrasting colors** and **minimum lettering** size all identified in the regulations.

**Q. Why does the redemption message have to be in all capital letters?**

**A.** It doesn't; however, the minimum lettering height requirements apply to all letters in the message. If you're using upper and lower case letters, both have to meet the minimum height, not just the capitals.

**Q. You don't require the redemption amount on the label. Why not?**

**A.** The Act has provisions for increasing the value over time. Consequently, it is not required or desirable to state the redemption value, which may change in the future. New labels would have to be printed each time it increased, making it difficult for manufacturers, retailers and consumers.

**Q. Is there any special way the words "California Redemption Value," "CA Redemption Value," California Cash Refund," or "CA Cash Refund," must appear?**

**A.** Quotation marks may be used, but are not required. The message may be "stacked," that is, with "CA" on top of "Cash" and "Cash" above "Refund," each word on its own line. Alternatively, "CA" may be on one line, centered above "Redemption Value" on the line below it.

Portions of the redemption message may not be separated, however, by artwork, logos, etc. The message must be recognized as a unit. If the words are separated, they must be immediately adjacent to one another, either horizontally or vertically.

**Q. If beverage containers are marked with the proper label, where can they be recycled for CRV?**

**A.** There are thousands of certified recycling centers located throughout the State. To find one located nearest you, please call 1-800-RECYCLE.

**Q. Are there any labeling methods you do not consider "indelible?"**

**A.** Yes. Messages printed on crinkle foil (most often used on the neck label of beer bottles) are not considered indelible because foil tears easily.

Adhesive labels which can be peeled off intact are not considered permanent. If an adhesive label can be applied so that it cannot be removed without tearing a portion of the label, then it qualifies as permanent and the container is considered indelibly marked with the redemption statement.

Can lids may not be labeled with paper of any kind. They must be imprinted with the redemption message into the metal itself. Can lids labeled so that a portion of the message is printed over the pull tab are not considered indelibly marked because that portion of the message disappears when the tab is pushed into the can upon opening.

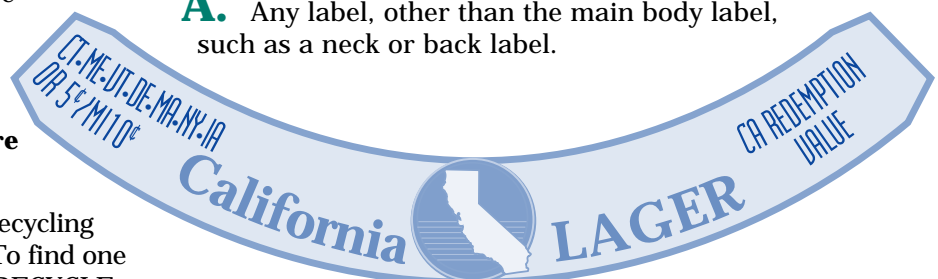
In all cases, remember that the redemption message is the signal that an empty container is eligible for CRV. It is, therefore, very important that the message remains intact from the retail shelf to the recycling center. As previously mentioned in the guidebook, not all drinks packaged in aluminum, glass, plastic, or bimetal qualify as a beverage under this program.

**Q. What does the regulation mean by the "bottom edge" of a container body label?**

**A.** This means that the redemption message is the last item at the bottom of the label, with no other printed matter below it.

**Q. What is a "secondary label?"**

**A.** Any label, other than the main body label, such as a neck or back label.



*Example of proper placement of redemption message on label.*





*Example of a secondary label.*

**Q.** Do you have any pointers about type styles?

**A.** Yes! Please print in as bold a style as possible, considering the overall print used in your label. Many manufacturers meet the minimum height requirements under the regulations, but the style chosen is so thin the message is overpowered by bolder print and artwork on the label. Remember always to consider the issue of “clear and prominent.” Generally speaking, “open” or “outline” style lettering is difficult to read. In most cases, it has not been considered “clear and prominent.” If you are contemplating use of this style of type, we recommend advance review of your proposed design.

**Q.** I notice the regulations say the California message must be distinguished from other states’ refund messages. What exactly does that mean?

**A.** A good question! The Department recommends the California message appear on a separate line from the refund messages of other states when meeting the regulations on the basis of the 3/16" (inch) minimum lettering height requirement. If you are trying to meet the 1/8" (inch) minimum lettering height option, the California message must be printed in a color contrasting to the background, nearby artwork and printed matter, including other states’ refund messages. Depending on the overall label design, we may recommend a contrasting color, even when using the larger (3/16" (inch) minimum) type size, when further distinction seems necessary.

This is extremely important because of the uniqueness of the California program. If “CA Redemption Value” follows too closely to “Michigan - 10 cents,” it might appear that ten cents is the current California redemption value, although it is not. Unclear labeling results in consumer misunderstanding, which impacts public relations for both the manufacturer and the recycling program. For everyone’s sake, it’s best to go that extra mile to distinguish the California message rather than risk confusion at the recycling center.

**Q.** What happens when beverage containers are sold to dealers located on military installations and national parks in California? As federal property, are they exempt from California’s Recycling Act?

**A.** National parks, military installations and national monuments in California that have “deposit programs” are exempt from the Act, just as refillable containers sold in California are exempt. However, all beverage containers sold in California must be properly labeled with the California Redemption Value message.

**Q.** What about beverage containers sold to common carriers?

**A.** Distributors are not required to make redemption payments on beverage containers sold to, delivered to, and to be consumed on trains, steamships, or common carrier vessels or airplanes.

**Q.** Are the beverage containers included in the program, only those that contain carbonated beverages?

**A.** No. Some beverage containers may contain non-carbonated beverages such as wine coolers, malt beverage products, water, fruit juices, coffee and tea drinks.



## 5. HOW TO GET HELP WITH YOUR LABEL

### **CALL:**

(916) 327-7361 or

**Toll Free: 1-800-RECYCLE** (in California only)

### **WRITE:**

Department of Conservation  
Division of Recycling  
Industry Services Branch  
801 K Street, MS 15-59  
Sacramento, CA 95814-3533

*Attention:* Labeling Coordinator

To receive additional copies of the  
“California Beverage Container  
Labeling Guide,” please contact the  
labeling coordinator at the number  
listed above.

To transmit correspondence or  
proposed label designs by  
**FAX: (916) 323-4907**

### **LOG ON:**

[www.consrv.ca.gov](http://www.consrv.ca.gov)



## THE BEVERAGE CONTAINER LABELING REQUIREMENTS

### TITLE 14. NATURAL RESOURCES DIVISION 2. DEPARTMENT OF CONSERVATION CHAPTER 5. DIVISION OF RECYCLING SUBCHAPTER 1. DEFINITIONS SUBCHAPTER 3. MANUFACTURERS ARTICLE 1. LABELING

In addition to the definitions provided by the California Beverage Container Recycling and Litter Reduction,...the following definitions shall apply whenever the terms are used in this Chapter.

**“Clearly and Prominently”** means that the redemption message is displayed so that it is easily found and read by consumers and recyclers. Each letter comprising the message is complete, legible, and cannot be readily obscured. Other factors include boldness, width, spacing, and location of lettering. The message must be distinguishable from refund messages of other states.

**“Contrasting Colors”** as used in reference to the redemption message lettering means a clear differentiation in hue, value, and intensity with the background on which the redemption message appears, surrounding artwork, and other nearby printed information.

**“Indelibly”** means that the redemption message is permanently affixed on the beverage container from the point of purchase until the point of redemption and cannot be smeared or removed during regular use.

**“Minimum Lettering Size”** is applicable to the height of all the letters in the redemption message.

### LABELING REQUIREMENTS. SECTION 2200(a) OF THE CALIFORNIA CODE OF REGULATIONS.

A beverage manufacturer shall indicate on every nonrefillable beverage container sold or offered for sale by the beverage manufacturer the words “California Redemption Value” or “CA Redemption Value,” “California Cash Refund,” or “CA Cash Refund.”

All nonrefillable beverage containers sold on or after the date of inclusion under (Division 12.1, Chapter 2 of the California Public Resources Code,) by any person to a distributor, dealer, or consumer shall be labeled in accordance with this section.

Beverage containers shall be clearly, prominently, and indelibly marked by painting, printing, scratch embossing, or raised letter embossing, in the specific manner indicated in (1) and (2) below. All nonrefillable beverage containers shipped by the beverage manufacturer to a distributor or dealer shall be marked in the manner as specified.

- (1) Metal containers shall be marked on the top end of the container in minimum lettering size at least 3/16" (inch) in height.
  - (A) Scratch embossed lettering shall be a minimum of .004 inch of disturbed surface metal.
- (2) Glass containers and plastic containers shall be free of notations resembling “No Deposit - No Return,” and shall be marked either:

(A) Along the bottom edge of the container body label in minimum lettering size at least 3/16" (inch) in height.

or

(B) On or in a secondary label in minimum lettering size at least 3/16" (inch) in height.

or

(C) On a container body label or secondary label with contrasting colors with legible lettering in

minimum lettering size at least 1/8" (inch) in height. Contrasting colors shall direct the reader to the message required in Section 2200(a) of the California Code of Regulations.

**Authority:** Sections 14530.5 and 14536, Public Resources Code.

**Reference:** Sections 14561, 14530.5 and 14536, Public Resources Code.

## KEY DEFINITIONS UNDER THE ACT

### PUBLIC RESOURCES CODE SECTIONS;

14504.

(a) **“Beverage”** means beer and other malt beverages, wine and distilled spirit coolers, carbonated and noncarbonated mineral soda water, carbonated and noncarbonated water, carbonated and noncarbonated soft drinks and sports drinks, carbonated and noncarbonated fruit drinks, coffee and tea drinks, sold in aluminum, glass, plastic and bimetal containers in liquid and ready-to-drink form and intended for human consumption.

(b) **“Beverage”** does not include wine, or wine from which alcohol has been removed in whole or in part, whether or not sparkling or carbonated. Also excluded are milk, medical food, infant formula, 100% fruit juices in containers over 46 ounces and any product sold in a container that is not an aluminum beverage container, a glass beverage container, a plastic beverage container or a bimetal beverage container.

**14505. “Beverage Container”** means the individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which a beverage is sold, and which is constructed of aluminum, glass, plastic or bimetal. “Beverage Container” does not include cups or other similar open or loosely sealed receptacles.

**14506. “Beverage Manufacturer”** means any person who bottles, cans, or otherwise fills beverage containers, or imports filled beverage containers, for sale to distributors, dealers, or consumers.

**14510. “Dealer”** means every person in this state who engages in the sale of beverage containers to consumers.

**14511. “Distributor”** means every person who engages in the sale of beverages in beverage containers to a dealer in this state, including

any manufacturer who engages in these sales. “Distributor” includes any person who imports beverages from outside of this state.

**14520. “Recycling Center”** means an operation which is certified by the department and which accepts from consumers, and pays or provides the refund value pursuant to Section 14572 for, empty beverage containers intended to be recycled.

**14523. “Redemption payment”** means the minimum amount paid by a distributor to the department for every beverage container sold or transferred to a dealer.

**14524. “Refund value”** means the minimum refundable value established for each type of beverage container pursuant to Section 14560, which is paid by the following:

(a) A certified recycling center to the consumer or dropoff or collection center for each beverage container redeemed by the consumer or dropoff or collection center. With respect to consumers returning containers to recycling centers, the refund value shall not be subject to tax under the Personal Income Tax Law (Part 10 commencing with Section 17001 of Division 2 of the Revenue and Taxation Code).

(b) A certified processor to a certified recycling center, dropoff or collection program, curbside program, or nonprofit dropoff program for each beverage container received from the certified recycling center, dropoff or collection program, curbside program, or nonprofit dropoff program.

(c) The department to a certified processor, for every beverage container received by the processor from a certified recycling center, curbside program, dropoff or collection program, or nonprofit dropoff program.

*(These definitions are found in Division 12.1, Chapter 2 of the Public Resources Code.)*

## APPENDIX C

# OTHER CALIFORNIA AGENCIES TO CONSULT WHEN DESIGNING A BEVERAGE CONTAINER LABEL

Approval of the California redemption or refund message is handled separately by the Department of Conservation. You may also need to contact these agencies:

### DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC)

Business Practices Unit  
3810 Rosin Court, Suite 150  
Sacramento, CA 95834  
(916) 263-6846

Manufacturers of beer and other malt beverages are required to submit their product label to the ABC prior to its sale in California to determine if the product complies with specific content labeling requirements.

### OFFICE OF ENVIRONMENTAL HEALTH AND HAZARD ASSESSMENT

Proposition 65 Implementation  
301 Capitol Mall, Room 205  
Sacramento, CA 95814  
(916) 445-6900

Proposition 65 passed as a ballot measure in November 1986. It requires warnings for exposure to chemicals known to the State which cause cancer or reproductive toxicity. For alcoholic beverages, including beer and malt products, warnings must be provided at the point of sale.

### CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

8800 Cal Center Drive  
Sacramento, CA 95826  
(916) 255-2200

Senate Bill 235 (chapter 769, statutes of 1991) was passed in October 1991. It requires every rigid plastic packaging container, as defined, sold or offered for sale in the State to meet specified criteria commencing January 1, 1995.

### DEPARTMENT OF HEALTH SERVICES

Food and Drug Branch  
P. O. Box 942732, MS 357  
Sacramento, CA 94234-7320  
(916) 445-2263

The Food and Drug Branch licenses all water bottling plants and bottled water products distributed in California. If you produce a bottled water, you must contact the Food and Drug Branch to obtain a license to distribute it in California.

## APPENDIX D

### OTHER STATES WITH BEVERAGE CONTAINER RECYCLING LAWS AND HOW TO CONTACT THEM

As a convenience to our manufacturers selling beverages in California, the following is a list of the ten other states with deposit laws.

#### CONNECTICUT

Department of Environmental Protection  
Environmental Review Section  
79 Elm Street  
Hartford, CT 06106-5127  
(860) 424-3241

#### DELAWARE

Department of Natural Resources &  
Environmental Control  
Solid Waste Branch  
89 Kings Highway  
Dover, DE 19901  
(302) 739-3820

#### FLORIDA

Department of Environmental Protection  
Division of Waste Management  
2600 Blalirstone Road  
Tallahassee, FL 32399-2400  
(904) 922-6104

#### IOWA

Department of Natural Resources  
Wallace State Office Building  
502 E 9th Street  
Des Moines, IA 50319-0034  
(515) 281-8499

#### MAINE

Department of Agriculture  
Division of Regulations  
Deering Building  
State House Station 28  
Augusta, ME 04333-0028  
(207) 287-3841  
Attn: Heidi Chadbourne

#### MASSACHUSETTS

Division of Consumer Programs &  
Transportation  
Department of Environmental Protection  
1 Winter Street, 9th Floor  
Boston, MA 02108  
(617) 292-5980

#### MICHIGAN

Michigan Liquor Control Commission  
P. O. Box 30005  
7150 Harris Drive  
Lansing, MI 48909  
(517) 322-1390

#### NEW YORK

Department of Environmental Conservation  
Division of Solid and Hazardous Materials  
50 Wolf Road, Room 212  
Albany, NY 12233-7253  
(518) 457-7337



## OREGON

Waste Reduction Office  
811 SW 6th Avenue  
Portland, OR 97204

(503) 229-5253

## VERMONT

Waste Management Division  
103 S Main Street, West Building  
Waterbury, VT 05671-0407

(802) 241-3445